IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1881 OF 2006

Smt.Deepika Sawant .. Applicant.
Vs.
Anil Tilakraj Mehra & Anr. .. Respondents.

Mr.Pradip Rajput i/b Ms.Anjali Patil for the applicant.
Mr.A.S.Shitole A.P.P. for the State.

CORAM : D.B.BHOSALE, J.
DATED : 21ST JUNE, 2006

P.C.:

. Heard learned counsel for the parties.

2. This application under section 378(4) of the Code of Criminal Procedure is directed against the order of acquittal of the offence punishable under section 138 of the Negotiable Instruments Act. The learned Judge has recorded a categoric finding based on the evidence of P.W.2 that the cheques were not dishonoured due to insufficient fund and the notice was issued by the complainant to the accused on the basis of incorrect memos. In view thereof it is held that there was no cause of action for the complainant to file the complaint. I find absolutely no error in the judgment. No case for interference is made out. The application is, accordinlgy, rejected.

(D.B.Bhosale, J.)